

15750 U.S. PTO



040804

Frederick P. Fish  
1855-1930

W.K. Richardson  
1859-1951

# FISH & RICHARDSON P.C.

April 8, 2004

Attorney Docket No.: 10225-038001

## Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Presented for filing is a new patent application claiming priority from a provisional patent application of:

Applicant: JOSE DE LA TORRE-BUENO

Title: AUTOMATED MEASUREMENT OF CONCENTRATION AND/OR  
AMOUNT IN A BIOLOGICAL SAMPLE

The prior application is assigned of record to ChromaVision Medical Systems, Inc., a Delaware corporation, by virtue of an assignment submitted to the Patent and Trademark Office and recorded on July 28, 2003 at 013836/0265.

Enclosed are the following papers, including those required to receive a filing date under 37 CFR §1.53(b):

	<u>Pages</u>
Specification	83
Claims	7
Abstract	1
Declaration	[To be Filed at a Later Date]
Drawing(s)	9

### Enclosures:

- Small entity statement. This application is entitled to small entity status.
- Application Cover Sheet
- Request for Nonpublication
- Postcard.

Under 35 USC §119(e)(1), this application claims the benefit of prior U.S. provisional application 60/462,159, filed April 10, 2003.

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Basic filing fee	\$0
Total claims in excess of 20 times \$9	\$0
Independent claims in excess of 3 times \$43	\$0
Fee for multiple dependent claims	\$0
Total filing fee:	\$0

Under 37 CFR §1.53(f), no filing fee is being paid at this time.

If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (858) 678-5070.

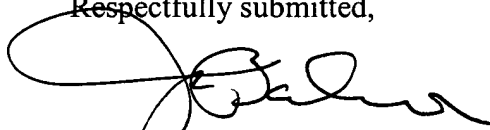
Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please direct all correspondence to the following:

20985

PTO Customer Number

Respectfully submitted,



Joseph R. Baker, Jr.

Reg. No. 40,900

Enclosures

JVB/tmb

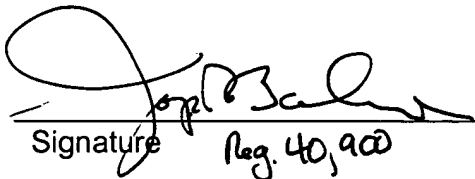
10384321.doc

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Jose de la Torre-Bueno
Title	Automated Measurement of Concentration and/or Amount in a Biological Sample
Atty Docket Number	10225-038001

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

4/8/04  
Date

  
Signature *Reg. 40,900*

Joseph R. Baker, Jr.

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**